

Attorney Docket No. AUS920010328US1
Serial No. 09/888,452
Response to Office Action dated 06/18/2003

A. REMARKS

1. Specification Amendments

The applicant has amended the specification to correct typographical errors and include reference numbers in the specification that are present in the drawings. The specification amendments conform with the original drawings and do not contain any new matter.

2. Drawing Amendments

The applicant has amended the drawings as follows:

- a. Fig. 7: Reference number 770 has been added to conform with the specification;
- b. Fig. 8: Reference numbers 802 and 810 has been added to conform with the specification; and
- c. Fig. 10: Boxes 1065 and 1075 have been added to conform with the specification.

These drawing amendments do not contain any new matter. Replacement sheets are attached to the present response.

3. Claim Rejections – 35 USC § 112

The Examiner rejected claims 1-23 under §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner stated that claims 1-13 and 18-22 recite “DPDB” without proper antecedent basis.

The applicant has amended the occurrence of “DPDB” in claims 1 and 18 and “CPDB” in claims 1, 5-18, and 23 to overcome the Examiner’s rejection.

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4. Claim Rejections – 35 USC §103

The Examiner rejected claims 1-23 under §103(a) as being unpatentable over the Privacy reference (www.ragnet.ac.uk/policy/privacy.html). The Examiner stated that the claims were obvious in light of the Privacy reference.

The applicant has amended claims 1 and 2 to recite aspects of the present invention which are not disclosed by Privacy.

The applicant respectfully objects to the Examiner's rejection of claims 3-23. The Examiner rejected claims 3-23 as obvious in light of the Privacy reference stating that the use of the basic, primary, and secondary numbers and uses of data are suggested by Privacy. 37 CFR §1.104(c)(2) states:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

The Privacy reference teaches an invention other than that claimed by the applicant. Thus, the Examiner is under a duty to cite the particular part of reference relied upon and clearly explain the pertinence of the reference. The Examiner's statements that "such uses of basic, primary, and seconddary [sic] numbers are suggested by Privay [sic]" and "such data concerning users are suggested by Privacy" are insufficient for the applicant to properly amend the claims to overcome the Privacy reference. Consequently, the applicant requests that the Examiner particularly point out the section of the reference relied upon and the pertinence of each section.

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Furthermore, the applicant objects to the Examiner's statement that claims 14-23 are analogous to claims 1-13. The amended claims 14-23 are not analogous of claims 1-13 and should be independently examined.

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B. SPECIFICATION AMENDMENTS

Please replace the paragraph starting on page 4, line 8 with:

B1 Referring to ~~Figure~~FIG. 2, a block diagram depicts a data processing system, which may be implemented as a server, such as server 104 in ~~Figure~~FIG. 1. Data processing system 200 may be a symmetric multiprocessor (SMP) system including a plurality of processors such as first processor 202 and second processor 204 connected to system bus 206. Alternatively, a single processor system may be employed. Also connected to system bus 206 is memory controller/cache 208, which provides an interface to local memory 209. I/O bus bridge 210 is connected to system bus 206 and provides an interface to I/O bus 212. Memory controller/cache 208 and I/O bus bridge 210 may be integrated as depicted. Peripheral component interconnect (PCI) bus bridge 214 connected to I/O bus 212 provides an interface to first PCI local bus 216. Modem 218 may be connected to first PCI bus local 216. Typical PCI bus implementations will support four PCI expansion slots or add-in connectors. ~~Communications~~Communication links to ~~network computers~~clients 108, 110 and 112 in ~~Figure~~FIG. 1 may be provided through modem 218 and network adapter 220 connected to first PCI local bus 216 through add-in boards. Additional PCI bus bridges such as second PCI bus bridge 222 and third PCI bus bridge 224 provide interfaces for additional PCI local buses such as second PCI local bus 226 and third PCI local bus 228, from which additional modems or network adapters may be supported. In this manner, ~~server~~data processing system 200 allows connections to multiple network computers. A memory-mapped graphics adapter 230 and hard disk 232 may also be connected to I/O bus 212 as depicted, either directly or indirectly. Those of ordinary skill in the art will appreciate that the hardware depicted in ~~Figure~~FIG. 2 may vary. For example, other peripheral devices, such as an optical disk drive and the like also may be used in addition or in place of the hardware

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depicted. The depicted example is not meant to imply architectural limitations with respect to the present invention. The data processing system depicted in ~~Figure~~FIG. 2 may be, for example, an IBM RISC/System 6000 system, a product of International Business Machines Corporation in Armonk, New York, running the Advanced Interactive Executive (AIX) operating system.

[Please replace the paragraph starting at page 5, line 14 with:]

With reference now to ~~Figure~~FIG. 3, a block diagram illustrates data processing system 300 in which the invention may be implemented. Data processing system 300 is an example of either a stand-alone computer, if not connected to distributed data processing system 100, or a client computer, if connected to distributed data processing system 100. Data processing system 300 employs a peripheral component interconnect (PCI) local bus architecture. Although the depicted example employs a PCI bus, other bus architectures such as Micro Channel and ISA may be used. Processor 302 and main memory 304 are connected to PCI local bus 306 through PCI bridge 303. PCI bridge 303 also may include an integrated memory controller and cache memory for Processor 302. Additional connections to PCI local bus 306 may be made through direct component interconnection or through add-in boards. In the depicted example, local area network (LAN) adapter 310, SCSI host bus adapter 312, and expansion bus interface 314 are connected to PCI local bus 306 by direct component connection. In contrast, audio adapter 316, graphics adapter 318, and audio/video adapter (A/V) 319 are connected to PCI local bus 306 by add-in boards inserted into expansion slots. Expansion bus interface 314 provides a connection for a keyboard and mouse adapter 320, modem 322, and additional memory 324. SCSI host bus adapter 312 provides a connection for hard disk drive 326, tape drive 328, and CD-ROM 330 in

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the depicted example. Typical PCI local bus implementations will support three or four PCI expansion slots or add-in connectors. An operating system runs on processor 302 and is used to coordinate and provide control of various components within data processing system 300 in FigureFIG. 3. The operating system may be a commercially available operating system such as OS/2, which is available from International Business Machines Corporation. "OS/2" is a trademark of International Business Machines Corporation. An object oriented programming system, such as JavaJAVA, may run in conjunction with the operating system and provides calls to the operating system from JavaJAVA programs or applications executing on data processing system 300. "JavaJAVA" is a trademark of Sun Microsystems, Incorporated. Instructions for the operating system, the object-oriented operating system, and applications or programs may be located on storage devices, such as hard disk drive 326, and they may be loaded into main memory 304 for execution by processor 302. Those of ordinary skill in the art will appreciate that the hardware in FigureFIG. 3 may vary depending on the implementation. Other internal hardware or peripheral devices, such as flash ROM (or equivalent nonvolatile memory) or optical disk drives and the like, may be used in addition to or in place of the hardware depicted in FigureFIG. 3. Also, the processes of the present invention may be applied to a multiprocessor data processing system. For example, data processing system 300, if optionally configured as a network computer, may not include SCSI host bus adapter 312, hard disk drive 326, tape drive 328, and CD-ROM 330, as noted by the box with the dotted line in FigureFIG. 3 denoting optional inclusion. In that case, the computer, to be properly called a client computer, must include some type of network communication interface, such as LAN adapter 310, modem 322, or the like. As another example, data processing system 300 may be a stand-alone system configured to be bootable without relying on some type of network communication interface,

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whether or not data processing system 300 comprises some type of network communication interface. As a further example, data processing system 300 may be a Personal Digital Assistant (PDA) device which is configured with ROM and/or flash ROM in order to provide non-volatile memory for storing operating system files and/or user-generated data. The depicted example in Figure FIG. 3 and above-described examples are not meant to imply architectural limitations with respect to the present invention. It is important to note that while the present invention has been described in the context of a fully functioning data processing system, those of ordinary skill in the art will appreciate that the processes of the present invention are capable of being distributed in a form of a computer readable medium of instructions and a variety of forms, ~~and that the~~ The present invention applies equally regardless of the particular type of signal bearing media actually used to carry out the distribution. Examples of computer readable media include recordable-type media, such as a floppy disc, a hard disk drive, a RAM, and a CD-ROM, and transmission-type media such as digital and analog communications links.

[Please replace the paragraph starting at page 8, line 9 with:]

~~Fig. 4.~~ FIG. 4 depicts centralized personal data base 400. As used herein, the term centralized personal data base (CPDB) means (1) a data base that may be accessed by a userconsumer having a basic and a primary number and also by any person to whom the userconsumer provides a primary and a secondary number, (2) a data base that can be accessed through the Internet from a centralized personal data base web site, and (3) that may be located in one storage area connected to one or more server computers that may be distributed in multiple storage areas each of which are connected to one or more server computers. CPDB 400 contains set-up program 410, access program 420, basic, ~~primary~~ primary, and secondary number

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generation program 430, registration program 440, search program 450, merchant data base ~~460~~460, and user~~consumer~~ data base 470. Alternatively, set-up program 410, access program 420, primary and secondary number generation program ~~440~~ 430, registration program ~~450~~ 440, and search program ~~460~~ 450 may be located in the memory of a server computer or distributed among a plurality of computers and linked to each other and the CPDB 400 by a network. Furthermore, one or more of the above referenced programs may be built into a web browser program or furnished as a plug-in to a web browser program.

[Please replace the paragraph starting on page 9, line 4 with:]

Fig. ~~FIG.~~ 5 depicts a flow chart of CPDB process 500 showing the three main steps in the overall CPDB process 500. When CPDB process 500 begins (510), the ~~The~~ first step is registration 600 (600520). The second step is notification 800 (600530). The third step is access 1000 (700540). CPDB process 500 then ends (550).

[Please replace the paragraph starting on page 9, line 7 with:]

Fig. ~~FIG.~~ 6 depicts the steps in registration 600. Registration 600 begins (602) when registration program ~~420~~ 440 of CPDB 400 is invoked by a consumer accessing the CPDB website and indicating a desire to register (610). The consumer inputs data such as name, social security number, date of birth, phone number, fax number, e-mail address, and any other information that may be required by a merchant, service provider or government agency (620). The consumer receives a basic number (630). The consumer also receives a primary number (640). As used herein the term number means a unique code number comprising a plurality of individual numerals assigned to an authorized user consumer or merchant and shall have the

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same meaning as a personal identification number (PIN). The basic number and the primary number are used by the CPDB customer to access and change the CPDB record and to create or delete primary and secondary numbers. The registration process ends (650).

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~~Fig.~~ FIG. 7 depicts the process for secondary number creation 700. The process starts (702) when the consumer goes to the CPDB website (710) and logs on (720) by inputting the basic number and the primary number. The userconsumer selects secondary number creation from the menu (730). One or more secondary numbers can be created for each CPDB primary number. The userconsumer selects the information that is to be accessible to a merchant (740). In other words, the userconsumer decides what information can be accessed by a merchant using the primary number in combination with each particular secondary number the userconsumer will provide. A determination is made whether the userconsumer wants to attach an expiration date to the secondary number (742). If the userconsumer wants to attach an expiration date to the secondary number, the userconsumer will enter the expiration date or select from a range of time periods offered by the CPDB website (744). If the userconsumer enters an expiration date or selects a time period, the secondary number will not be effective after the date arrives or the time period expires. If the consumer does not want to place an expiration date on the secondary number, then the process goes to step 750. The consumer receives a secondary number (750). A determination is made as to whether another secondary number is desired (760). If another secondary number is desired, then the process returns to step 740. If another secondary number is not desired, the process ends (770).

Please replace the paragraph starting on page 11, line 8 with:

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[Please replace the paragraph starting on page 11, line 18 with:

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CPDB by the merchant using the primary number and the secondary number. A determination is then made as to whether there is another account (950). If there is another account, update procedure 900 returns to step 920. If there is not another account, update procedure 900 ends (960).

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00M4 [Please replace the paragraph starting on page 12, line 6 with:]

Fig-FIG. 10 depicts the merchant access process 1000. Once the merchant has the primary number and the secondary number, the merchant may access the CPDB. Each merchant in the CPDB merchant directory queries the centralized personal data base with the primary number and secondary number to obtain information about the userconsumer. For example, a merchant may require such information at the time of the monthly billing statements to customers. Also, on a pre-determined date of every month (depending upon the number of records to be updated), the merchant can update his data base with the CPDB in a process called synchronization. ~~A-As~~ used herein, ~~synchronization~~synchronization means either an automatic or merchant initiated transfer of the latest data to the merchant from the CPDB at a pre-arranged time and pre-arranged schedule. For example, the merchant may synchronize his data base at the time of sending promotional offers, at the time of sending important account information or policy changes, and while signing up new members. Alternatively, the merchant may specify a time and day to automatically update information. The process begins (9021002) and the merchant accesses the web site (9101010). The merchant enters the primary number and the secondary number (1020). A determination is made as to whether both numbers are correct (9301030). If both numbers are not correct the process returns to step 9201020. If both numbers are correct, a determination is made whether the merchant wants to search and acquire data

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(9401040). If the merchant wants to search and acquire data, then the search is conducted, the information acquired and the information transmitted to the merchant account (9501050). If the merchant does not want to search and acquire data, then the process determines whether the merchant wants to synchronize data (1060). If the merchant wants to synchronize data, then a determination is made whether the merchant wants to initiate an update at the present time or to schedule an automatic update (1065). If the merchant wants to initiate an update at the present time, the merchant information is updated (9701070). If the merchant wants to schedule an automatic update, the date and time for the update is entered (1075). If the merchant does not want to synchronize data, then a determination is made as to whether another transaction is desired (9801080). If another transaction is desired, the process returns to step 9201020. If another transaction is not desired, then the process ends (9901090).

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C. CLAIM AMENDMENTS

1. (Currently Amended) A programmable apparatus comprising:

B3 | a ~~CPDB~~data base in a first computer;

a network;

a second computer connected to the first computer by the network;

wherein a consumer uses a basic number and a primary number to access an account in the data base and the consumer can modify an account data in the data base; and

wherein a merchant uses the primary number and a secondary number to access the account and the merchant is prohibited from modifying the account data in the data base.

wherein responsive to receipt of a primary number and a secondary number from the second computer, data from the DPDB is transmitted to the second computer.

2. (Currently Amended) The programmable apparatus of claim 1 further comprising

synchronization of data between the server-second computer and the first computer; said synchronization being a transfer of the account data from the data base to the merchant at a pre-arranged time and a pre-arranged schedule.

3. (Currently Amended) The programmable apparatus of claim 1 further comprising data

transmitted from the first computer to the second computer in response to receipt of a basic number and the primary number by the first computer; and wherein the second computer is a consumer computer.

4. (Currently Amended) The programmable apparatus of claim 1 further comprising data

transmitted from the first computer to the second computer in response to receipt of the primary number and the secondary number by the first computer; and wherein the second computer is a merchant computer.

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5. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a set-up program computer implemented process comprising:

consumer registration with the data base;

merchant notification of the consumer registration; and

updating merchant records using information stored in the data base.

6. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises an a merchant access program comprising:

instructions for verifying correct entry of the primary number and the secondary number by the merchant;

instructions for allowing the merchant to search for information in the account; and

instructions for allowing the merchant to synchronize the information in the data base with the merchant's records.

7. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a basic, primary and secondary number generation program comprising:

instructions for consumer access to the account using the basic number and the primary number;

instructions for consumer designation of an information to be accessed by the merchant;

instructions for creation of the primary number and the secondary number; and

instructions for transmitting the primary number and the secondary number to the merchant.

8. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a registration program comprising:

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instructions for allowing the consumer to register the account with the data base;

instructions for accepting consumer input of data into the account; and

instructions for issuing the basic number and the primary number to the consumer.

9. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a search program, merchant notification program comprising:

instructions for determining whether the merchant has been added to the data base;

responsive to a determination that the merchant has not been added to the data base,

instructions for adding a merchant to the data base;

instructions for associating a merchant with data in the account, a primary number,

and a secondary number; and

instructions for sending the primary number and the secondary number to the

merchant.

10. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a merchant data base.

11. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base further comprises a user/consumer data base.

12. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base may be accessed by the consumer using the basic number and the primary number; and wherein the consumer is the only party who may modify the data in the data base.

13. (Currently Amended) The programmable apparatus of claim 1 wherein the CPDB data base may be accessed by the merchant using the primary number and the secondary number; and wherein the secondary number is unique to the merchant and distinguishes the merchant from a plurality other merchants.

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14. (Currently Amended) A CPDBdata base that may be accessed by a userconsumer having a basic number and a primary number and by any party to whom the userconsumer provides the primary number and ~~the~~ secondary number; and wherein the primary number and secondary number are specific to each individual party to whom the consumer provides the primary number and the secondary number.
15. (Currently Amended) The CPDBdata base of claim 14 wherein the CPDBdata base may be accessed through the Internet from a ~~centralized personal data based~~ data base web site.
16. (Currently Amended) The ~~centralized personal data based~~ data base of claim 14 wherein the CPDBdata base is located in one storage area connected to one or more server computers.
17. (Currently Amended) The CPDBdata base of claim 14 wherein the CPDBdata base is distributed in multiple storage areas each of which are connected to one or more server computers.
18. (Currently Amended) A method for remotely providing personal information from a CPDBdata base comprising the steps of:
- registering with the CPDBdata base;
 - obtaining a primary number and a secondary number; and
 - providing a person to whom access is desired with a primary number and a secondary number;
- wherein the primary number and the secondary number allow access to the data base;
wherein the primary number and the secondary number prohibit modification to the data base; and

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wherein the primary number and secondary number are specific to each individual person to whom the consumer provides the primary number and the secondary number.

19. (Original) The method of claim 18 further comprising the step of accessing.

20. (Original) The method of claim 18 further comprising the step of creating the secondary number.

21. (Original) The method of claim 18 further comprising the step of selecting information to be accessed by a combination of the secondary number and the primary number.

22. (Original) The method of claim 18 further comprising the step of synchronization.

23. (Currently Amended) A computer readable memory comprising:

a computer readable storage medium;

a CPDB data base in said computer readable memory;

a computer program stored in said storage medium;

wherein the storage medium, so configured by the computer program, allows access to, but not modification of, the CPDB data base upon receipt of a correct combination of a primary and a secondary number.

24. (New) The programmable apparatus of claim 6 wherein the merchant access program further comprises: instructions for allowing a merchant to designate whether the synchronization is immediate or scheduled.

25. (New) The programmable apparatus of claim 7 wherein the secondary number generation program further comprises: instructions for consumer designation of an expiration date for the secondary number.

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26. (New) The programmable apparatus of claim 1 wherein the data base is accessed through the Internet through a centralized personal data base web site; and wherein the data base is located in a storage area connected to one or more server computers that may be distributed in multiple storage areas each of which are connected to one or more server computers.
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